

## **REMARKS**

Upon entry of the amendments in this response, claims 3 – 9 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

As best understood by Applicants, it appears that the Supplemental Response filed on September 15, 2004 was not entered in the application. In that Supplemental Response, Applicants attempted to amend claim 7 to be in dependent form to include all the features/limitations of claim 4. However, since it appears that the Supplemental Response was not entered, Applicants respectfully resubmit the claim amendments previously presented in that Supplemental Response in this Response to Office Action. Specifically, Applicants have amended claim 7.

### **Indication of Allowable Subject Matter**

The Office Action indicates that claims 3 – 6, 8, 9, 22 and 23 are allowed. Although Applicants appreciate the indication of allowable claims, Applicants previously canceled claims 22 and 23 and respectfully assert that claims 22 and 23 have been indicated as being allowed in error.

Additionally, Applicants respectfully assert that claim 7 has been amended such that it now depends from claim 4, the allowability of which is set forth in the Office Action. Therefore, Applicants respectfully assert that claim 7 also is in condition for allowance.

### **Rejections under 35 USC 102**

The Office Action indicates that claim 7 stands rejected under 35 U.S.C. 102(e) as being anticipated by *Yoshihara*. Applicants respectfully traverse the rejection. Specifically, as set forth above, Applicants have amended claim 7 to be a dependent claim to incorporate the features/limitations of claim 4. Since claim 4 has been allowed, Applicants respectfully assert that claim 7 also is allowable. Therefore, Applicants respectfully request that the rejection of claim 7 be removed and that all pending claims be placed in condition for allowance.

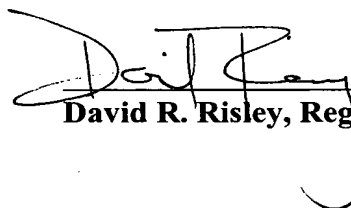
### **Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

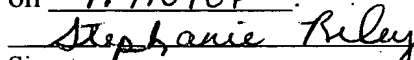
In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 3 – 9 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

  
David R. Risley, Reg. No. 39,345

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
100 Galleria Parkway N.W., Suite 1750  
Atlanta, Georgia 30339  
(770) 933-9500

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 11/10/04.

  
Signature